
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	AMENDED SCHEDULING ORDER
	:	AND CONTINUANCE ORDER
v.	:	
	:	Crim. No. 18-340 (PGS)
DONTE GILLIARD	:	

This matter having come before the Court on the application of defendant Donte Gilliard (by Lisa Van Hoeck, Esq. and Brian Reilly, Esq.), and Craig Carpenito, United States Attorney for the District of New Jersey (by Elisa T. Wiygul and R. Joseph Gribko, Assistant United States Attorneys), consenting, for an Order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through and including November 4, 2019 to permit defense counsel the reasonable time necessary for effective preparation in this matter; and the defendant being aware that he has the right to have the matter brought to trial within 70 days of his appearance before a judicial officer of this court pursuant to Title 18, United States Code, Section 3161(c)(1); and five prior continuances having been entered; and the defendant, through his attorneys, having requested and consented to the entry of this Order; and for good and sufficient cause shown, and for the reasons stated on a telephone conference with counsel on August 13, 2019,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) The Court held an arraignment on the Superseding Indictment (Docket No. 34) and status conference on July 30, 2019;

(2) By letter on July 29, 2019 and orally at the status conference, the defense sought an adjournment of the trial, which was previously scheduled to begin on August 5, 2019, on the ground that such an adjournment was necessary to investigate a potential defense to a new legal element of the charged offense;

(3) Accordingly, on the record at the July 30, 2019 status conference, the Court found that the ends of justice served by granting a continuance outweighed the best interests of the public and the defendant in a speedy trial, and therefore granted a continuance until September 9, 2019, and rescheduled trial for that date;

(4) By letter on August 7, 2019, the defense sought an adjournment of the September 9, 2019 trial date, on the ground that such an adjournment was necessary to investigate a potential defense to a new legal element of the charged offense;

(5) In response to the defense's letter, the Court held a telephone conference with counsel on August 13, 2019;

(3) The failure to grant such a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

(4) The defendant has consented to the aforementioned continuance;

(5) The grant of a continuance may conserve judicial resources; and

(6) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 19 day of August, 2019;

ORDERED that this action be, and it hereby is, continued from the date this Order is signed through November 4, 2019; and it is further

ORDERED that the period from the date this Order is signed through November 4, 2019 shall be excludable in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that the defense shall produce to the Government any psychologist or other expert report on which it seeks to rely no later than September 20, 2019; and it is further

ORDERED that the Government shall file any motion regarding such report no later than October 11, 2019; and it is further

ORDERED that the defense shall file any response to the Government's motion no later than October 18, 2019; and it is further

ORDERED that the Court will hold a motion hearing on November 1, 2019 at 11:00 a.m.; and it is further

ORDERED that the trial shall commence in this matter on November 4,
2019 at 10:00 a.m.



HON. PETER G. SHERIDAN
United States District Judge